

LAW OFFICE OF TODD J. HILTS
2214 2nd Ave
San Diego, CA 92101
Telephone (619) 531-7900
Facsimile (619) 531-7904

Derek J. Emge (CSB No. 161105)
EMGE & ASSOCIATES
550 West C Street, Ste. 1600
San Diego, CA 92101
Telephone (619) 595-1400
Facsimile (619) 595-1480

David A. Huch (CSB No. 222892)
LAW OFFICES OF DAVID A. HUCH
7040 Avenida Encinas, Suite 104
Carlsbad, CA 92011
Telephone (760) 402-9528
Facsimile (760) 683-3245

Attorneys for Plaintiff, JOSUE SOTO, Individually, On Behalf of All Others Similarly Situated,
and on Behalf of the General Public

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JOSUE SOTO, Individually, On Behalf of All Others Similarly Situated, and on Behalf of the General Public,

Plaintiff,

v.

DIAKON LOGISTICS (DELAWARE), INC., a foreign corp.; and DOES 1 through 50, inclusive,

Defendants.

AND ALL COUNTER-CLAIMS

CIVIL NO. 08-CV-0033-L-AJB

CLASS ACTION

CERTIFICATE OF SERVICE

1 IT IS HEREBY CERTIFIED THAT:

2 I, Derek J. Emge, am a citizen of the United States and am at least eighteen years of age.
3 My business address is 550 W. C Street, Suite 1600, San Diego, CA 92101. I am not a party to the
4 above-entitled action. I have caused service of:

5 **NOTICE OF MOTION AND MOTION TO DISMISS**
6 **COUNTERCLAIM AS TO JOSUE SOTO AND THIRD PARTY**
7 **COMPLAINT AS TO SAYBEE'S LLC**

8 on the following parties by electronically filing the foregoing with the Clerk of the District Court
9 using its ECF System, which electronically notifies them:

10 **James H. Hanson**
11 **Robert L. Browning**
12 **R. Jay Taylor Jr.**
13 **SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY**
14 **10 West Market Street, Suite 1500**
15 **Indianapolis, IN 46204**

16 **Christopher C. McNatt, Jr.**
17 **SCOPELITIS, GARVIN, LIGHT, HANSON & FEARY**
18 **2 North Lake Avenue, Suite 460**
19 **Pasadena, CA 91101**

20 **Todd J. Hilts, Esq.**
21 **LAW OFFICE OF TODD J. HILTS**
22 **2214 Second Ave.**
23 **San Diego, CA 92101**

24 **David A. Huch**
25 **LAW OFFICES OF DAVID A. HUCH**
26 **7040 Avenida Encinas, Suite 104**
27 **Carlsbad, CA 92011**

28 I hereby certify that I have caused to be mailed the forgoing, by the United States Postal
Service, to the following non-ECF participants on this case:

N/A

the last known address, at which place there is delivery service from the United States Postal
Service.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct as executed on this day, February 8, 2008.

3
4 _____
5 DEREK J. EMGE
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28